

REMARKS

Claims 8-20 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 8-9, 12-13, 15-17 and 19-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over US patent no. 6,591,272 (hereinafter Williams) in view of US patent no. 6,859,931 (hereinafter Cheyer). Claims 10, 11, 14 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Williams in view of Cheyer and further in view of US patent application publication No. 2003/0225801 (hereinafter Devarakonda). Claim 8 stands objected to in view of an informality noted in the Office Communication. Reconsideration of the rejections, the objection, and allowance of the pending claims are requested in view of the foregoing amendments and the following remarks.

Claims 1-7 were previously canceled. Claims 8, 21 and 23 have been amended. Thus, claims 8-24 stand pending.

Claim 8 was in part amended to correct the informality noted in the Office Communication. Accordingly, the objection raised in the Office Communication in connection with claim 8 should be withdrawn.

With regard to the rejections under Section 101, applicant appreciates the withdrawal of the Section 101 rejections regarding claims 21-24. In connection with claim 8, this independent claim 8 is directed to a computer-based system for structuring, storing and processing of computer-readable data from a plurality of distinct software applications. As requested in the Office Communication, claim 8 has been amended to positively recite a physical structure, (i.e., a processor) within the body of the claim. Accordingly, applicant respectfully submits that claim 8 recites subject matter in compliance with Section 101, and this basis of rejection of claim 8 (and claims depending from such independent claim) should be withdrawn.

Applicant will now discuss the rejection of claims based on the Williams/Cheyer combination of references. Applicant notes that each of the independent claims has been amended to address some concerns raised in the Office Communication by the Examiner regarding the interpretation of such claims. Firstly, the amended claims moot the concern noted in the Office Communication as to whether the phrase "uniformly

understood” modifies network or object. Secondly, the amended claims moot the concern noted in the Office Communication as to usage of the term “freed”. Lastly, as suggested in the Office Communication, the amended claims contain an express recitation of an implied aspect in connection with the present invention. That is, that the exchange of computer-readable data between the plurality of distinct software applications is performed without translating such computer-readable data. Accordingly, the possible interpretation concerns raised in the Office Communication have been mooted in view of the foregoing amendments.

Applicant further notes that Cheyer’s principle of operation, as described by Cheyer, is substantially different from the structural and/or operational relationships claimed in the present invention as well as the principle of operation of Williams. In Cheyer, in the event an incompatible protocol arises, then Cheyer must first translate an incompatible request for service to a bridge agent, then translate the incompatible request into the Intelligent Communications Language (ICL), then finally Cheyer must transmit the translated incompatible request to the facilitator. See for example Cheyer at column 29, lines 54-67 through column 30, lines 1- 9. See also each of the independent claims of Cheyer respectively reciting one or more translating steps (claims 1, 10, and 19 ). None of the foregoing is applicable to the claimed invention or to Williams. That is, Cheyer teaches away from the claimed structural and/or operational relationships being that Cheyer requires one or more translations of the incompatible request, whereas in the claimed invention no translation is needed since each uniformly understood object is free of the one or more incompatible data exchange structures in the plurality of distinct software applications to perform the data exchange between the plurality of distinct software applications. If the Examiner believes that translating is not a requirement of Cheyer, then applicant kindly requests that the Examiner point out with specificity where Cheyer describes that is not the case. See M.P.E.P. 2144.08 II stating that the PTO bears the burden of establishing a case of *prima facie* obviousness.

In view of the foregoing considerations, applicant respectfully submits that the combination of Williams and Cheyer fails to constitute an appropriate *prima facie* combination of references for sustaining the rejection of claim 8, under the applicable

§103 statutory requirements. More particularly, Williams and Cheyer, singly and in combination, fail to teach or suggest the specific structural and/or operational relationships of the claimed invention, and, consequently, this basis of rejection of claim 8 (and claims respectively depending from such a claim) should be withdrawn.

In connection with the rejection of claims 10, 11, 14 and 18 under 35 U.S.C. §103, over Williams in view of Cheyer and further in view of Devarakonda, applicant believes that Devarakonda fails to remedy the fundamental deficiencies of Cheyer noted above. Accordingly, applicant believes that the rejection of claims 10, 11, 14 and 18 should also be withdrawn.

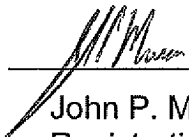
Conclusion:

It is respectfully submitted that each of the claims pending in this application recites patentable subject matter and it is further submitted that such claims comply with all statutory requirements and thus each of such claims should be allowed.

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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